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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,998	03/31/2004	Lee Melvin Hinman		5227

7590 04/02/2007
LEE MELVIN HINMAN
234 TWIN LAKES DR
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EXAMINER

ZURITA, JAMES H

ART UNIT	PAPER NUMBER
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3625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/812,998

Applicant(s)

HINMAN, LEE MELVIN

Examiner

James H. Zurita

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

On 31 March 2004, applicant filed the instant application.

On 20 October 2005, the application was published as PG-PUB 20050234752.

Preliminary Notes

An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450.

The Examiner also notes that legal protection for the claimed matter may be more properly found under copyright laws rather than under patent statutes.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-12 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

The claims will be examined based on reasonable interpretation as best understood from the disclosures.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6167383 (Henson).

As per claim 1, Henson discloses E-commerce system specifications for defining product specifications without option variable questions via a XSD file. See at least Col. 1, lines 35-47.

As per claim 2, Henson discloses that by repeating the elements to achieve unlimited elements option specifications product option questions. Col. 2, lines 27-48.

As per claim 3, Henson discloses that option selections will have user definable cross checking between options selections. The option selections will have user definable cross checking between options selections. Henson, Col. 8, lines 34-44.

Claims 4-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Krasnoiarov et al., US PG-PUB 2002/0055956.

As per claim 4, Krasnoiarov discloses E-commerce system specifications for defining product specifications via XSL file the ability to define; math to compute fields back into the e-commerce product. See paragraph 0056.

As per claim 5, Krasnoiarov discloses sending and receiving URL, as in paragraph 0055.

Claims 6-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Ananian, US PG-PUB 2003/00248451, published 6 February 2003.

As per claim 6, Chen discloses Indication of an element being a SVG type. See paragraph 0324.

As per claim 7, Ananian discloses that the Order final checkout will NOT occur until update cart has been successfully completed without any errors for processing integrity. See paragraph 0112.

As per claim 8, Ananian discloses that Each option is contained in an element definitions for standalone and for the Portal access additional subset <xs:annotation> within each element of the e-commerce system. See paragraph 0265

As per claim 9, Ananian discloses a system defined allowed number of suppliers can be selected to provide quotes via Web Services. See paragraph 0088.

As per claim 10, Ananian discloses that returned quoted price is displayed to the prospect with the ability to select the supplier and award the contract. See paragraph 0042.

As per claim 11, Ananian discloses that prospect continues on to the awarded supplier's e-commerce site for completion of credit processing information to consummate the commerce transaction. See paragraph 0093.

As per claim 12, Ananian discloses that the portal will retain history information of the transactions. See paragraph 0099.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Parametric Shopping Cart, User Documentation, version 2.101, downloaded from the Internet www.archive.org, on 28 March 2007, [http://web.archive.org/web/20030627195753/http://www.srifl.com/pscdemo/PSC Doc RunTimeOnly.html#AE](http://web.archive.org/web/20030627195753/http://www.srifl.com/pscdemo/PSC_Doc_RunTimeOnly.html#AE) **N36**. 11 pages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James Zurita
Primary Examiner
Art Unit 3625
28 March 2007


JAMES ZURITA
PRIMARY EXAMINER